

**AFFIDAVIT OF INABILITY TO APPEAR  
AND REQUEST FOR ISSUANCE OF A**

Check one of the following:

- ☐ **CONFIDENTIAL MARRIAGE LICENSE PURSUANT TO FAMILY CODE SECTION 502**  
☐ **PUBLIC MARRIAGE LICENSE PURSUANT TO FAMILY CODE SECTION 426**

We, the undersigned, do hereby declare:

That \_\_\_\_\_  
(Print full legal name(s) of person(s) unable to appear)

is/are physically unable to appear in person at the County Clerk's Office to apply for a marriage license due to:

Check one of the following:

- ☐ Hospitalization (must attach proof of hospitalization)  
☐ Incarceration  
☐ Other \_\_\_\_\_  
(Reason proved to the satisfaction of the County Clerk)

and hereby request the marriage license be issued to \_\_\_\_\_  
(Print name of person solemnizing marriage)  
as the officiant who will be solemnizing the marriage.

\_\_\_\_\_  
(Print Full Legal Name of First Person) [Date of Birth (MM/DD/CCYY)]

\_\_\_\_\_  
(Print Full Legal Name of Second Person) [Date of Birth (MM/DD/CCYY)]

We certify under penalty of perjury under the laws of the State of California that the foregoing information is true and correct.

Executed on: \_\_\_\_\_ at \_\_\_\_\_  
(MM/DD/CCYY) (City/State)

► \_\_\_\_\_  
(Signature of First Person)

Executed on: \_\_\_\_\_ at \_\_\_\_\_  
(MM/DD/CCYY) (City/State)

► \_\_\_\_\_  
(Signature of Second Person)

Executed on: \_\_\_\_\_ at \_\_\_\_\_  
(MM/DD/CCYY) (City/State)

► \_\_\_\_\_  
(Signature of Person Solemnizing Marriage)

**NOTE:** The person solemnizing the marriage must **physically** present the completed affidavit to the County Clerk at the time the marriage license is issued [Family Code Sections 426(a); 502(a)].

The signature(s) of the person(s) who is/are physically unable to appear in person at the County Clerk's Office **must be authenticated by a Notary Public or a Court** prior to the County Clerk issuing the marriage license [Family Code Sections 426(c); 502(c)].

**NOTE:** Government Code (GC) Section 8824(a) prohibits the notary public who has authenticated the signature(s) of the person(s) who is/are unable to physically appear in person at the County Clerk's Office from also being the person solemnizing the marriage.

Pursuant to Family Code Section 500, couples applying for a Confidential Marriage License must already be living together as spouses.

In addition, the confidential marriage license may only be used in the county in which the license is issued.

## All Capacity Acknowledgment

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_,  
(Date) (Name and title of the officer)

personally appeared \_\_\_\_\_,  
(Name of person signing)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of officer

(Seal)

## Affidavit of the Facts

I \_\_\_\_\_ am a ☐ Physician,  
☐ Warden ☐ Other \_\_\_\_\_ and do hereby certify, swear or  
affirm, and acknowledge that the information set forth in the “Affidavit for Confidential Marriage  
License For Persons Unable to Appear” are factual, true and correct to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Place

\_\_\_\_\_  
Signature